

Lexington, Kentucky January 12, 2006

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on January 12, 2006 at 7:00 P.M. Present were Mayor Teresa Ann Isaac in the chair presiding and the following members of the Council: Council Members Stinnett, Wigginton, Brown, Cegelka, DeCamp, Ellinger, Gorton, Lane, McChord, Moloney, Myers, Shafer and Stevens. Absent were Council Members Farmer and Scanlon.

The reading of the Minutes of the previous meetings was waived.

Ordinances No. 315-2005 thru 349-2005 inclusive and Resolutions No. 674-2005 thru 744-2005 inclusive were reported as having been signed and published, and were ordered to record.

Lexington, Kentucky January 12, 2006

The Invocation was given by Pastor Anthony Castle, Life Community Church.

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Upon motion of Ms. Shafer and seconded by Ms. Gorton, the minutes of the October 6 (7:00 p.m.), 6 (8:00 p.m.), 11, 20 and November 3, 2005 Council Meetings were approved by unanimous vote.

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The following ordinances were given second reading and passed by the following vote:

Aye: Stinnett, Brown, DeCamp, Ellinger, Gorton,
Lane, McChord, Myers, Shafer, Stevens ----- 10

Nay: ----- 0

(Mr. Wigginton, Mr. Cegelka and Mr. Moloney were absent when the vote was taken.)

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$800.00 from Neighborhood Development Funds for Gainesway Empowerment Center's support of Sherriffa Barksdale's Olympic come back, and appropriating and reappropriating funds, Schedule No. 128.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,150.00 from Neighborhood Development Funds for Police Activities League travel to the 2005 Florida State Cheerleading competition, and appropriating and reappropriating funds, Schedule No. 129.

An Ordinance authorizing the Mayor to accept a Grant from the U. S. Dept. of Justice under the State Criminal Alien Assistance Program (SCAAP), which grant funds are in the amount of \$69,269.00 Federal funds, are for reimbursement of costs associated with the incarceration of undocumented criminal aliens, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 120, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute and submit a Grant Application to the Georgia State University, to provide any additional information requested in connection with this grant application, and to accept this grant if the application is approved, which grant funds are in the amount of \$32,929.00 Federal funds, are for the

Improving Crime Data Project, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 124, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Office of Homeland Security, which grant funds are in the amount of \$49,250.00 Federal funds, are for chemical, biological, radiological, nuclear and explosive (CBRNE) attacks equipment, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 125, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute an Engineering Service Agreement with Dataflow, LLC, Hydromax USA, and Quest Engineers, Inc., for a Pilot Flow Monitoring Study – West Hickman 7 Sub-Sewershed, at a cost not to exceed \$337,500.00 and appropriating funds pursuant to Schedule No. 123.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 122.

An Ordinance relating to the sale of goods in the Lexington Center area amending Section 15-1.1(2) of the Code of Ordinances to change the term peddler to person.

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The following ordinances were given first reading and ordered placed on file two weeks for public inspection.

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Highway Service Business (B-3) zone for 0.55 net (0.63 gross) acre of property located at 183 Moore Drive, subject to certain use restrictions imposed as a condition of granting the zone change. (S. Lee Cutter Co., a Ky. Corp.)

An Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 1.00 net (1.11 gross) acres of property located at 1012 Wellington Way, subject to certain use and signage restrictions imposed as a condition of granting the zone change. (M.I.A. Development Co., LLC)

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Highway Service Business (B-3) zone, for 2.46 net (2.48 gross) acres; from an

Agricultural Urban (A-U) Zone to a Professional Office (P-1) zone, for 0.46 net (0.66 gross) acre; from a Highway Service Business (B-3) zone with conditional zoning restrictions to a Highway Service Business (B-3) zone with modified conditional zoning restrictions, for 0.62 net (0.71 gross) acre; and from a Professional Office (P-1) zone to a Highway Service Business (B-3) zone, for 0.58 net (1.70 gross) acres, subject to certain use, signage, and landscaping restrictions, for property located at 2440 Richmond Road (a portion of), 2318 Lake Park Road, and 2374 Lake Park Road (a portion of) (2440, LLC).

An Ordinance changing the zone from a Light Industrial (I-1) zone to a Professional Office (P-1) zone for 10.09 net (12.95 gross) acres of property located at 300 West Loudon Avenue, subject to certain use restrictions imposed as a condition of granting the zone change. (Hope Center, Inc.)

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to an Agricultural Buffer (A-B) zone for 53.65 net (55.13 gross) acres of property located at 4350 Crawley Lane. (Lawrence and Betty Taylor)

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Mixed-Use Community (MU-3) zone for 4.69 net (5.79 gross) acres, and from a Light Industrial (I-1) zone to a Mixed Use Community (MU-3) zone for 0.85 gross acre, for property located at 501-525, 527-541, and 545-557 South Broadway. (Polaris Real Estate Equities, LLC)

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to an Expansion Area Residential (EAR-1) zone for 31.09 net (32.03 gross) acres of property located at 1001, 1011, and 1111 Maple Ridge Place, subject to certain use and buffering restrictions imposed as a condition of granting the zone change. (Chilesburg Development Co.)

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No.131.

An Ordinance authorizing the Mayor to accept an award of \$5,000.00 from the Council for Excellence in Government, for the Div. of Police's Spanish Immersion Program and appropriating funds pursuant to Schedule No. 132.

An Ordinance accepting an award from Ky.-American Water Co. in the amount of five thousand dollars (\$5,000.00) for the Reforest the Bluegrass Project and appropriating funds pursuant to Schedule No. 133.

An Ordinance authorizing the Mayor to accept a donation of \$2,520.00 from the Center for Family and Community Services, for the Gainesway Community Empowerment Center to purchase supplies and equipment and appropriating funds pursuant to Schedule No. 134.

An Ordinance authorizing the Mayor to accept the donation of \$2,500.00 and various gift items from Oracle, to be used at the Enterprise Resource Planning Project Kickoff event scheduled for January 2006, and appropriating funds pursuant to Schedule No. 139.

An Ordinance authorizing the Mayor to accept the donation of \$2,500 and various gift items from Cherry Road Technologies, Inc., to be used at the Enterprise Resource Planning Project Kickoff event scheduled for January 2006, and appropriating funds pursuant to Schedule No. 140.

An Ordinance authorizing the Mayor to execute a Deed and Certificate of Consideration, transferring two acres of land located at Gainesway Park, from the Urban County Government to the Board of Education of Fayette County, Ky., for the sum of \$60,000.00 designating such sum for use at Gainesway Park, and appropriating funds pursuant to Schedule No. 141.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Transportation Cabinet, which grant funds are in the amount of \$80,000.00 Federal funds, are for the Bicycle Lane Restriping and Feasibility Study, the acceptance of which obligates the Urban County Government for the expenditure of \$20,000.00 as a local match, appropriating funds pursuant to Schedule No. 135, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Transportation Cabinet, which grant funds are in the amount of \$41,920.00 Federal funds, are for continuation of a Pedestrian and Bikeway Coordinator position in the Div. of Planning, the acceptance of which obligates the Urban County Government for the expenditure of \$10,480.00 as a local match, appropriating funds pursuant to Schedule

No. 136, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Governor’s Office for Local Development, which grant funds are in the amount of \$25,000.00 Commonwealth of Ky. funds, are for the preservation of Cove Haven Cemetery, the acceptance of which requires a match of \$25,000.00 to be provided by Cove Haven, Inc., appropriating funds pursuant to Schedule No. 137, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute Change Order No. 1 to the Contract with JGK Pipeline Services, for Gardenside Sewer Rehabilitation, increasing the contract price by the sum of \$61,635.49 from \$1,089,735.00 to \$1,151,370.49, and appropriating funds pursuant to Schedule No. 138.

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The following resolutions were given first reading. Upon motion of Ms. Gorton and seconded by Mr. McChord, the rules were suspended by unanimous vote. The resolutions were given second reading and passed by the following vote:

Aye: Stinnett, Brown, Cegelka, DeCamp, Gorton, Lane,
McChord, Moloney, Myers, Shafer, Stevens ----- 11

Nay: ----- 0
(Mr. Wigginton and Mr. Ellinger were absent when the vote was taken.)

A Resolution accepting the bid of Schaefer Properties, LLC, in the amount of \$45,000.00, for removal of sprayed-on fireproofing/insulation at Lexington-Fayette Urban County Government Parking Facility, for the Dept. of General Services.

A Resolution ratifying the probationary civil service appointments of: Daniel Fischer, Administrative Specialist, Grade 110N, \$16.610 hourly, in the Div. of Human Resources, effective January 2, 2006, Rita Evans, Staff Assistant Sr., Grade 108N, \$12.760 hourly, in the Div. of Fire, effective December 12, 2005, Robert Jones, Skilled Trades Worker Sr., Grade 112N, \$17.992 hourly, in the Div. of Building Maintenance & Construction, effective January 9, 2006, Jennifer Petermann, Administrative Specialist, Grade 110N, \$13.530 hourly, in the Div. of Revenue, effective January 9, 2006, Alfred Wingate, Public Service Worker Sr., Grade 107N, \$10.452 hourly, in the Div. of Parks, effective December 26, 2005, David Asberry, Equipment Operator Sr., Grade 109N, \$16.685 hourly, in the Div. of Streets, Roads & Forestry, effective December 5, 2005, Charles O’Connell, Communications Officer Sr., Grade 113N, \$20.250 hourly, in the

Div. of Police, effective January 9, 2006, Dennis Hoelzer, Public Service Worker, Grade 106N, \$12.113 hourly, in the Div. of Sanitary Sewers, effective December 26, 2005, Deborah Florian, Public Service Worker, Grade 106N, \$10.636 hourly, in the Div. of Sanitary Sewers, effective December 26, 2005, Christine Terry, Staff Assistant, Grade 107N, \$14.857 hourly, in the Div. of Adult Services, effective January 9, 2006, Kenneth Benson, Public Service Worker Sr., Grade 107N, \$11.396 hourly, in the Div. of Streets, Roads & Forestry, effective December 26, 2005, Deboraha Griffin, Administrative Specialist, Grade 110N, \$17.213 hourly, in the Div. of Solid Waste, effective January 23, 2006, Damon Griggs, Computer Operator, Grade 110N, \$12.932 hourly, in the Div. of Computer Services, effective January 9, 2006, Hilliard Parsons, Engineering Technician Sr., Grade 113E, \$1,615.44 bi-weekly, in the Div. of Engineering, effective January 9, 2006, Pat Powell, Administrative Specialist Sr., Grade 112N, \$19.755 hourly, in the Div. of Revenue, effective January 9, 2006, Heidi Lawson, Public Service Worker, Grade 106N, \$9.263 hourly, in the Div. of Parks, effective January 23, 2006, Wanda Wallen, Equipment Operator, Grade 108N, \$16.226 hourly, in the Div. of Sanitary Sewers, effective January 9, 2006, Willie Freeman, Public Service Worker, Grade 107N, \$12.210 hourly, in the Div. of Streets, Roads & Forestry, effective January 9, 2006, Don Stamm, Heavy Equipment Mechanic/Apprentice, Grade 108N, \$10.459 hourly, in the Div. of Fleet Services, effective January 9, 2006, Neal Flachbart, Heavy Equipment Technician, Grade 113N, \$17.791 hourly, in the Div. of Fleet Services, effective January 9, 2006, Jennifer Constant, Staff Assistant, Grade 107N, \$11.521 hourly, in the Div. of Police, effective January 9, 2006; ratifying the permanent civil service appointments of: Jennifer Hollon, Administrative Specialist Sr., Grade 112N, in the Dept. of Law, effective December 6, 2005, Lonnie O'Day, Public Service Worker Sr., Grade 107N, in the Div. of Streets, Roads & Forestry, effective January 12, 2006, Connie Michalski, Communications Officer, Grade 111N, in the Div. of Police, effective December 27, 2005, John Hanley, Maintenance Mechanic, Grade 113N, in the Div. of Sanitary Sewers, effective December 13, 2005, Daniel Dotterweich, Network Supervisor, Grade 117E, in the Div. of Computer Services, effective December 13, 2005, Thomas D'Andrea, Computer Analyst, Grade 115E, in the Div. of Computer Services, effective November 30, 2005, Phillip Shelton, Equipment Operator Sr., Grade 109N, in the Div. of Streets, Road & Forestry, effective February 11, 2006, Kevin Bolton, Equipment

Operator Sr., Grade 109N, in the Div. of Solid Waste, effective November 2, 2005, Brian Keith Gross, Equipment Operator Sr., Grade 109N, in the Div. of Solid Waste, effective November 2, 2005, Arecannon Jones, Equipment Operator Sr., Grade 109N, in the Div. of Solid Waste, effective November 2, 2005, Gregory Blair, Equipment Operator Sr., Grade 109N, in the Div. of Solid Waste, effective December 12, 2005, P. Scott Thompson, Assistant Park Designer, Grade 110E, in the Div. of Parks, effective January 1, 2006, Malcolm Stallons, Information Officer, Grade 113E, in the Div. of Government Communications, effective January 26, 2006, Daniel Burns, Heavy Equipment Technician, Grade 113N, in the Div. of Fleet Services, effective December 27, 2005, Frank White II, Body & Paint Mechanic Certified, Grade 111N, in the Div. of Fleet Services, effective December 27, 2005, Arnold Coffey, Sr., Golf Course Clubhouse Attendant, Grade 106N, in the Div. of Parks, effective October 4, 2005, Aaron McDowell, Golf Pro Supervisor, Grade 117E, in the Div. of Parks, effective December 27, 2005, Mary Lyle, Health Services Advisor, Grade 114E, in the Div. of Human Resources, effective January 6, 2006; ratifying the probationary sworn appointments of: Christopher Schnelle, Police Sergeant, Grade 315N, in the Div. of Police, effective November 14, 2005; ratifying the permanent sworn appointments of: Michael Blanton, Police Captain, Grade 318E, in the Div. of Police, effective November 30, 2005, Kenneth Armstrong, Police Lieutenant, Grade 317E, in the Div. of Police, effective November 30, 2005, Harold Faulconer, Police Sergeant, Grade 315N, in the Div. of Police, effective November 30, 2005; approving leave of absence for: Antonio Cowan, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, request Council Approved leave without pay from December 30, 2005 through January 11, 2006; approving the unclassified civil service appointment of: William Bivins, Paul Boyles III, Trenton Bray, David Burks, Russell Bush, Michael Caudill, Jeremy Clipson, Joshua Ellis, Christopher Flannery, Misha Gash, Michael Geis, Clifton Grimm, Franklin Harney, Jr., Jarvis Harris, Jason Judd, Brandon Kennedy, Randall Kloss, Ronald Kornrumpf, Thomasena Lilly, Samantha Lynn, Brett Marshal, Rebecca L. McAllister, Paul McClanahan, Ron Moore, Patrick Murray, Charles Roelker, Jr., James Smith, Kenneth Smith, Matthew Speck, Benjamin Stratton, Dillan Taylor, Daniel Truex, Jon Tucker, Benjamin Walker, Justin Yates, Anthony Young, Police Trainee, Grade 311N, \$14.560 hourly, in the Div. of Police, effective February 6, 2006; approving the voluntary

demotion of: Jeff Adams, Communications Shift Manager, Grade 116E, \$1,653.84 bi-weekly to Communications Officer Sr., Grade 113N, \$17.316 hourly, in the Div. of Police, effective December 26, 2005; amending Section 2 of Resolution No. 704-2005, to include the job title Community Corrections Officer.

A Resolution authorizing the Mayor to rescind Resolution No. 739-2005, which authorized the Mayor to execute a Purchase Order for the Purchase of a Lenco B.E.A.R. armored car from Lenco Armored Vehicles and authorizing the Mayor to execute a Purchase Order for the purchase of a Lenco B.E.A.R. armored car, from Lenco Armored Vehicles, a sole source provider, for use as an incident response vehicle, for an amount not to exceed the sum of \$249,986.00, for the Div. of Police.

A Resolution allowing substitution of a Revised Deed of Easement with Jessamine-South Elkhorn Water District and Lexington-Fayette Urban County Government, for permanent sanitary sewer and temporary construction easements across the property located at 650 Southpoint Drive, for sanitary sewer improvements for the Deed of Easement authorized by Resolution No. 463-2005.

A Resolution authorizing the Mayor to execute a Utility Relocation Reimbursement Agreement with Columbia Gas of Ky., for the Loudon Avenue Improvement Project, at a cost not to exceed \$19,616.00.

A Resolution authorizing the Mayor to execute an Amendment to Agreement with the Blue Grass Trust for Historic Preservation, for additional restoration work at Latrobe's Pope Villa, at a cost not to exceed an additional \$250,000.00 in Transportation Enhancement Program of the Transportation Equity Act for the 21st Century (TEA-21) funds.

A Resolution authorizing the Mayor to execute a Third Amendment to Agreement with AmeriNational Community Services, Inc., for loan servicing for the HOME and CDBG housing rehabilitation and home ownership programs, extending the contract through December 31, 2006, at a cost not to exceed an additional \$30,000.00.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the Contract with Grant's Excavating, for Sanitary Sewer Edgelawn Collection System Rehabilitation Bond Project, increasing the contract price by the sum of \$143,663.63 from \$1,114,493.75 to \$1,258,157.38.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the Contract with Intech Contracting, LLC, for the Martin Luther King Bridge Repair Project, increasing the contract price by the sum of \$23,151.50 from \$65,890.00 to \$89,041.50.

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Upon motion of Mr. Ellinger, seconded by Ms. Shafer and passed by unanimous vote, a Resolution amending Resolution No. 693-2005 and the Findings of Fact and Conclusions of Law attached thereto to clarify that the 30 day suspension of Officer Stephanni Roadarmel is without pay was placed on the docket and given first reading.

Upon motion of Mr. Ellinger and seconded by Ms. Shafer, the rules were suspended by unanimous vote. The resolution was given second reading and passed by the following vote:

Aye: Stinnett, Brown, Cegelka, DeCamp, Gorton, Lane,
McChord, Moloney, Myers, Shafer, Stevens ----- 11

Nay: ----- 0
(Mr. Wigginton and Mr. Ellinger were absent when the vote was taken.)

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The following resolutions were given first reading and ordered placed on file two weeks for public inspection.

A Resolution accepting the bid of Software House International establishing a price contract for Novel Server Maintenance.

A Resolution accepting the bid of Secure Concepts, Inc., establishing a price contract for security cameras and equipment, for the Dept. of General Services.

A Resolution accepting the bid of Labor Works of Lexington, LLC establishing a price contract for temporary labor services, for the Div. of Solid Waste.

A Resolution accepting the bid of Coyne Textile Services establishing a price contract for rental of entrance mats, for the Div. of Building Maintenance and Construction.

A Resolution accepting the bid of CxTec, in the amount of \$38,415.59, for Nortel Computer Equipment, for the Div. of Computer Services.

A Resolution accepting the bid of Bluegrass Mailing, Data & Fulfillment Services, establishing a price contract for distribution of 2006 Fun Guide, for the Div. of Parks.

A Resolution accepting the bids of Standard Business Machines and Bluegrass Office Systems establishing a price contract for copier maintenance, for the Div. of Police.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction

easements from Community Ventures Corp., located at 1450 North Broadway, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$27,025.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying a permanent storm sewer easement from Overbrook Farm, LLC, located at 2451 Armstrong Mill Road, for the Squires Hill Lane Culvert Replacement Project, and authorizing payment in the amount of \$950.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute and submit an Application to the U.S. Dept. of Homeland Security and to provide any additional information requested in connection with this application for a thermal imager under the Commercial Equipment Direct Assistance Program (CEDAP).

A Resolution authorizing the Mayor to execute and submit a Grant Application to the U.S. Dept. of Justice, Office on Violence Against Women and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of \$400,000.00 Federal funds from the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program and are for a project designed to hold offenders of domestic violence accountable for their actions through investigation, arrest and prosecution and authorizing the Mayor to execute a Memorandum of Understanding with all community partners of the project, for comprehensive participation required for the project and the Grant Application.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the U.S. Dept. of Health and Human Services/Health Resources and Services Administration and to provide any additional information requested in connection with this Grant Application, which grant funds are in the amount of \$300,000.00 Federal funds, and are for an Impact Nursing Workforce Project.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the Ky. Heritage Council and to provide any additional information requested in connection with this Grant Application, which grant funds are in the amount of \$10,000.00 Federal funds, and are for the Div. of Historic Preservation's FY2007 Survey and Planning Project.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the Ky. Board of Emergency Medical Services and to provide any additional information requested in connection with this Grant Application, which grant funds are in the amount of \$14,200.00 Commonwealth of Ky. funds, and are for the purchase of a bariatric stretcher, a stretcher ramp kit and an Elk patient lifting system for the Div. of Fire.

A Resolution authorizing the Mayor to terminate the Adopt-A-Spot Program Agreement with U.S. Navel Sea Cadet Corp. in the amount of \$772.00 for quarterly litter cleanup of Inner City Area Number Four due to nonperformance and to execute an Adopt-A-Spot Program Agreement with Brown & Brown Associates, for services in the same area, at a cost not to exceed \$772.00.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the Contract with Free Contracting, Inc., for Evans Mill Road Drainage Improvements, decreasing the contract price by the sum of \$864.35 from \$98,895.50 to \$98,031.15.

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Upon motion of Mr. DeCamp, seconded by Ms. Shafer and passed by unanimous vote, the following communications from the Mayor were approved and are as follows: (1) recommending the reappointments of Kay Fisher, Garden Club Representative; Clay Smitson, At-Large Representative; and Mary Lou Friesen, Bluegrass Tomorrow Representative, to the Raven Run Nature Sanctuary Advisory Board with terms to expire 1-13-2010. Also, recommending the appointments of Carey Ruff, Audobon Society Representative; Lori Bowen, Fayette County Schools Representative; and Brenda Monarrez, At-Large Representative, to the Raven Run Nature Sanctuary Advisory Board with terms to expire 1-13-2010. Also, recommending the appointment of Amanda Abnee, At-Large Representative, to the Raven Run Nature Sanctuary Advisory Board with a term to expire 1-13-2008. Ms. Abnee will fill the unexpired term of Mr. Jim Cain; (2) recommending the appointments of Gil Dunn, 12th District Representative; Megan Campbell Smith, 3rd District Representative, and Sandy Camargo, 5th District Representative, to the Environmental Commission with terms to expire 10-1-2009 and (3) recommending the reappointments of Mike Bosse, Police Representative; Linda Lancaster, Volunteer Organization Representative; Lisa Smith, Business Community Representative; and Barbara Graves, At-Large Representative, to the Citizens Corps Council with terms to expire 12-16-2008. Also, recommending the appointment of Bob

Gross to the Citizens Corps Council as an ex-officio. Mr. Gross will replace Shelley Roberts Bendall as DEEM Representative.

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The following communications were received from the Mayor for information only:

(1) Resignation of Daniel McMahan, Police Officer, Grade 311N, in the Div. of Police, effective December 6, 2005; (2) Resignation of Tammy Conn, Certified Medical Assistant, Grade 108N, in the Div. of Family Services, effective November 21, 2005; (3) Resignation of Jason Watters, Public Service Worker, Grade 106N, in the Div. of Parks, effective October 30, 2005; (4) Resignation of Darrell W. Hubbard, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 2, 2005; (5) Resignation of Alvin Anderson, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 19, 2005; (6) Resignation of Jerry Baker, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 16, 2005; (7) Resignation of Charles Calvert, Administrative Specialist, Grade 110N, in the Div. of Sanitary Sewers, effective December 30, 2005; (8) Resignation of Misha Gash, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 3, 2006; (9) Resignation of Russell Grimes, Public Service Worker, Grade 106N, in the Div. of Parks, effective November 28, 2005; (10) Resignation of Lou Ann Hill, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 5, 2005; (11) Resignation of Kelly Hunter, Environmental Inspector, Grade 113N, in the Div. of Engineering, effective December 9, 2005; (12) Resignation of Mary Lawrence, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 12, 2005; (13) Resignation of Wade Mitchell, Life Skills Program Specialist, Grade 113E, in the Div. of Community Corrections, effective December 28, 2005; (14) Resignation of Anna Onkst, Human Resources Analyst, Grade 115E, in the Div. of Human Resources, effective December 27, 2005; (15) Resignation of Alisa Patterson, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 14, 2006; (16) Resignation of Carson Ritchie, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 12, 2005; (17) Resignation of Roy Shank, Police Trainee, Grade 311N, in the Div. of Police, effective October 4, 2005; (18) Resignation of Joseph Shope, Police Trainee, Grade 311N, in the Div. of Police, effective January 4,

2006; (19) Resignation of Michael Thomas, Jr., Public Service Worker Sr., Grade 107N, in the Div. of Parks, effective December 2, 2005; (20) Resignation of Delmar White, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 26, 2005 and (21) Resignation of Doug Wilhelm, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 3, 2006.

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The reports from (1) the Div. of Sanitary Sewers for the month of November, 2005 and (2) the Div. of Building Inspection for the month of November, 2005 were received and ordered filed.

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Police Chief Anthany Beatty stated that Officer Jerry D. McIntyre has committed the offense of Failure to Process Property in violation of KRS 95.450 and General Order 73-2/G, Section 1.17, Processing Property (see also General Order 91-13/F, Section III, A, 1 and 10a) in that on the 26th day of September, 2005 he destroyed evidence/contraband he confiscated during an investigation regarding a theft, the evidence consisted of 2 baggies containing small amounts of marijuana Officer McIntyre found in suspect's purse and vehicle, further, he transported items, along with DVD's containing surveillance images of suspect, to his home overnight and booked the DVD's as evidence the next morning, the suspected marijuana was destroyed at that time, Officer McIntyre failed to document the search on a Search Record and did not place charges against the suspect, a Search Record and Supplemental Report were completed on October 4, 2005 and that the appropriate punishment for this conduct is a one-day (1) suspension without pay.

Upon motion of Ms. Shafer and seconded by Ms. Gorton, the disciplinary action was approved by unanimous vote.

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The Mayor asked Fire Chief Robert Hendricks to speak about a structure fire on Shaker Drive that took place on Wednesday night.

Fire Chief Hendricks spoke about the difference between the Ky.-American Water Co. fire hydrants and privately owned fire hydrants.

Mr. Moloney commended the Div. of Fire for their work with the structure fire.

The Council asked questions of Fire Chief Hendricks and Fire Captain Bill Woodward, water supply officer for Lexington-Fayette County, concerning the maintenance of privately owned fire hydrants.

Ms. Gorton made a motion, seconded by Ms. Shafer and passed by unanimous vote, to place the issue of privately owned fire hydrants into the Services Committee.

Mr. Commons, President of Homeowners of Lexington Square, stated that the privately owned fire hydrant had been maintained, commended the Div. of Fire for their work at the structure fire and explained that there was a misinterpretation by people at the structure fire.

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Mr. Lane announced that he would be visiting the Waterford Neighborhood Association on Wednesday, January 18th.

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The meeting adjourned at 8:00 p.m.

Clerk of the Urban County Council